

# OFFICIAL GAZETTE



## GOVERNMENT OF GOA, DAMAN AND DIU

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#### Department of Personnel and Administrative Reforms

Order

No. 4-20-74-Div. I

In partial modification of Government order of even number dated 6th September, 1977, Shri Narendra Prasad, I. A. S., Collector of Goa, shall officiate as Director of Industries and Mines, Panaji in addition to his own duties.

With effect from the date of taking over the charge of the post of Director of Industries and Mines, by Shri Narendra Prasad, I. A. S. Shri V. K. Chowdhary I. A. S. is relieved from the post of Director of Industries and Mines, Panaji.

By order and in the name of the Administrator of Goa, Daman and Diu:

V. J. Menezes, Under Secretary (Personnel).

Panaji, 19th September, 1977.

Order

No. 4-17-74-Div. I

In partial modification of Government order of even number dated 6th September, 1977, Shri M. K. Bezboruah, I. A. S. shall continue as Secretary to Lt. Governor, until further orders.

By order and in the name of the Administrator of Goa, Daman and Diu.

V. J. Menezes, Under Secretary (Personnel).

Panaji, 19th September, 1977.

Order

No. 16-5-73-DIV. III

Whereas the Collectors in the Districts of Goa and Daman have been declared as "Heads of Departments" under the Delegation of Financial Powers Rules, 1958 — vide Schedule I to these rules;

And Whereas as "Head of Department", the above authorities are competent to grant leave to their subordinates, including Gazetted Government Officers, vide Rule 3(1)(c) of the Central Civil Services (Leave) Rules, 1972 read with the First Schedule to these rules;

And Whereas, by Government Order No. Fin (Bud)/11/24/70/Vol. VIII (Part II) dated 17-11-1973, the Civil Administrator, Diu has been delegated powers to grant leave to subordinate Gazetted Government Servants in the District of Diu upto 60 days provided no substitute is required;

And Whereas, the delegation of powers as above by itself do not enable the District Authorities to make officiating arrangements

in the leave vacancy of a Mamlatdar/Block Development Officer, Enquiry Officer, City Survey and Joint Mamlatdar, as the case may be;

Now Therefore, the Administrator of Goa, Daman and Diu in exigencies of Service and in public interest, is pleased to direct that as and when a Mamlatdar in any of the aforesaid District is sanctioned leave by the authority concerned, the Block Development Officer shall officiate in his place and vice versa. In the absence of the Block Development Officer, the Enquiry Officer, City Survey will officiate in the leave vacancy and in the absence of both, the Joint Mamlatdar. In so far as the Block Development Officer is concerned, the above arrangement shall operate in the reverse order, viz., Mamlatdar/Enquiry Officer, City Survey/Joint Mamlatdar. In so far as Enquiry Officer, City Survey is concerned, the arrangement shall be Mamlatdar/Block Development Officer/Joint Mamlatdar and finally, for Joint Mamlatdar no such arrangement is contemplated.

By order and in the name of the Administrator of Goa, Daman and Diu.

T. Kipgen, Chief Secretary.

Panaji, 13th September, 1977.

#### Agriculture Department

Order

No. 25/1/76-GOI

Shri K. A. Kazi, a candidate recommended by the Union Public Service Commission is appointed purely on temporary basis, until further orders to the post of Mango Development Officer in the Directorate of Agriculture, Panaji (Group B Gazetted) with immediate effect, in the scale of pay of Rs. 650-30-740-35-810-EB-35-880-40-1000-EB-40-1200, on the terms and conditions contained in this Department's OFFER OF APPOINTMENT of even number, dated 16-8-77.

By order and in the name of the Administrator of Goa, Daman and Diu.

F. A. Figueiredo, Under Secretary (Development).

Panaji, 12th September, 1977.

#### Industries and Power Department

Notification

No. 5-31-72-IPD

Whereas the mining lease under title of concession No. 18 dated 13-5-57 for ferro-manganese ore over an area of 103.6900 Ha. situated at Nanus — Ganga Village of Bicholim Taluka, granted to one Shri Zairam Bhicaji Neugui from Mapusa (hereinafter called as the "said lease") was determined by the Government under Order No. 531-77-IPD dated 16-10-1974 (hereinafter called as the said "Order");

And Whereas upon a revisional application preferred by Shri Zairam Bhicaji Neugui (hereinafter called as the "said lessee"), the Central Government set aside the said Order dated 16-10-1974 of the Government and remanded the case to the Government with the direction to pass a fresh Order on merits in accordance with laws, vide Order No. 93/77 dated 16-4-1977 (hereinafter called as the "Order of the Central Government");

And Whereas in pursuance of the said Order of the Central Government, the Government has re-examined the case afresh;

And Whereas it is found that the said mining lease granted to the aforesaid lessee was being worked by Shri Jose Xavier Mercelino de Piedade Lima Leitao, Director of M/s Lima Leitao & Co. Ltd., Mormugao Harbour, Goa and M/s Lima Minerals Pvt. Ltd., Mormugao Harbour, Goa and Shrimati Urmida Mascarenhas Lima Leitao, Mormugao, Director of M/s Lima Minerals Pvt. Ltd., Mormugao Harbour, Goa (hereinafter called as the "holder of Power of Attorney") under the power of attorney executed by the said lessee, without the previous consent in writing of the Government even though the mining operation under the said lease were undertaken and substantially controlled by the said holders of Power of Attorney;

And Whereas in consequence, the Government under Notice No. DI/MINES/72/2063 dated 4-8-1972 called upon the lessee to state his case within 30 days from the date of the letter as to why the said lease should not be determined (hereinafter called as the "said notice");

And Whereas the lessee had failed and neglected to state his case in terms of the said notice;

And Whereas the Government under subsequent letter No. DI/MINES/72/2403 dated 22-9-1972 brought to the notice of the said lessee that he had by then not stated his case in reply to the said notice and called upon the lessee to inform the Government as to what action the lessee took in response to the said notice and informed the lessee that further action would be taken to determine the said lease, if he failed to give any information within 10 days from the date the said letter dated 27-9-1972;

And Whereas Shri Dayanand Zairam Neugui, lessee's son by his letter dated 13-10-1972 informed the Government that his father, the lessee, was away in Bombay for medical treatment and that he would be back by the end of week thereafter and on his return, he would ask the lessee to reply to the issue raised by the Government;

And Whereas the said lessee did not care to reply to the said notice and failed and neglected to state any reasons as to why his lease should not be determined;

And Whereas the Government under subsequent letter No. DI/Mines/2487 dated 9-8-74 called upon the lessee to give reasons as to why the said lease was given for working to the said holders of Power of Attorney and suggested that the lessee may apply for condonation of breach of the Mineral Concession Rules, 1960 committed by him and the Government may consider his application if the reasons given were found to be satisfactory;

And Whereas the lessee under letter dated 27-8-1974 intimated the Government that the execution of the Power of Attorney dated 8-8-1970 was in good faith and out of ignorance and pleaded for condonation of breach of rule 37 of the Mineral Concession Rules, 1960, if any, and further informed the Government that he had cancelled the Power of Attorney executed by him on 24-9-1973;

And Whereas on going through the facts it is found inspite of the fact that breach of relevant Rules entailing determination of the said lease having been brought to the notice of the lessee as far back as in the month of August, 1972, the said lessee attempted to rectify the breach only on 24-9-1973 by cancelling the Power of Attorney;

And whereas it is thus clear that the lessee allowed the holders of Power of Attorney to work the mining lease and have substantial control over the same not through ignorance or in good faith but knowing fully well the implications thereof and for gaining advantage;

And Whereas it can safely be concluded that the breach is not of ignorance or in good faith but wilful and as such the lessee has therefore disentitled for condonation of the breach of rule 37 of the Mineral Concession Rules, 1960;

And Whereas the Government under Order No. 5-31-72-IPD dated 3-9-1977 has rejected the prayer of the said lessee for condonation of breach of rule 37 of the Mineral Concession Rules, 1960;

Now, Therefore, in exercise of the powers conferred by sub-rule (3) of rule 37 of the Mineral Concession Rules, 1960, the Lieutenant Governor of Goa, Daman and Diu hereby determines the mining lease granted to the said Shri Zairam Bhicaji Neugui, lessee, under the title of concession No. 18 dated 13-5-1957 with immediate effect, without prejudice to any proceedings that may be taken against him.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

P. Noronha, Under Secretary (Industries and Labour).

Panaji, 9th September, 1977.

## Revenue Department

### Notification

No. RD/LQN/108/76

Whereas by Government Notification No. RD/LQN/108/76 dated 5-6-1976 published on page 75 of Series II, No. 12 of the Official Gazette, dated 17-6-1976 it was notified under Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as "the said Act") that the land specified in the schedule appended to the said Notification (hereinafter referred to as the "said land") was likely to be needed for the public purpose viz. for the improvement of the Road from Panaji to St. Cruz via Ribandar Chimbel — Mercies 5/A Report.

And Whereas the appropriate Government (hereinafter referred to as "the Government") is satisfied after considering

the report made under sub-section (2) of Section 5A of the said Act, that the said land specified in the schedule hereto is needed to be acquired for the public purpose specified above.

Now, Therefore, the Government is pleased to declare under the provisions of Section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government is also pleased to appoint under clause (c) of Section 3 of the said Act, the Deputy Collector of Goa, North Division, Panaji-Goa, to perform the functions of a Collector for all proceedings hereinafter to be taken in respect of the said land, and to direct him under Section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the office of the said Deputy Collector of Goa, North Division, Panaji-Goa, till the award is made under Section 11.

### SCHEDULE

(Description of the said land)

Sr. No.	Taluka	Village/Ward	Plot No.	Survey No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6	7
1.	Tiswadi	Calapur	1	7	Shri Sitaram V. P. Nachinolkar. North: Sitaram V. P. Nachinolkar. South: Road. East: Road. West: Sitaram V. P. Nachinolkar.	38.00

1	2	3	4	5	6	7
2.	Tiswadi	Merces	2	81	Shri Anacleto C. Fernandes & C. J. D. Fernandes. North: Anacleto C. Fernandes. South: Road. East: Road. West: Babu Puroxotama Naique.	61.00
3.	— do —	— do —	3	80	Shri Babu Puroxotama Naique. North: P. Naique. South: Road. West: Road. East: A. C. Fernandes.	18.50
Total .....						117.50

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

R. Narayanaswami, Secretary (Revenue).

Panaji, 9th September, 1977.

#### Notification

No. RD/LQN/249/75

Whereas by Government Notification No. RD/LQN/249/75 dated 20-11-1975 published on page 320 of Series II, No. 38 of the Official Gazette, dated 18-12-1975 it was notified under Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as "the said Act") that the land, specified in the schedule appended to the said Notification (hereinafter referred to as the "said land") was likely to be needed for the public purpose viz. for construction of approach road to the water treatment plant at Sanquelim.

And Whereas the appropriate Government (hereinafter referred to as "the Government") is satisfied after considering the report made under sub-section (2) of Section 5A of the said Act, that the said land specified in the schedule hereto

is needed to be acquired for the public purpose specified above.

Now, Therefore, the Government is pleased to declare under the provisions of Section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government is also pleased to appoint under clause (c) of Section 3 of the said Act, the Land Acquisition Officer, Office of the Collector of Goa, Panaji-Goa, to perform the functions of a Collector for all proceedings hereinafter to be taken in respect of the said land, and to direct him under Section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the office of the said The Land Acquisition Officer, Office of the Collector of Goa, Panaji-Goa, till the award is made under Section 11.

#### SCHEDULE

(Description of the said land)

Sr. No.	Taluka	Village/Ward	Plot No.	Survey No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6	7
1.	Bicholim	Sanquelim	1	—	The President, Mesquito of Babal Pir Sanquelim.  <i>Boundaries:</i> North: Land of Babal Bir. South: Temple property Datta Wadi. East: Land of Vishnu Bhat. West: P. W. D. Road.	950.00
2.	"	"	2(a) 2(b)	— —	Shri Vishnu Bhiku Bhat Dessai. Shri Xanu Gopal Naik of Dattawadi Sanquelim.  <i>Boundaries:</i> North: P. W. D. Road. South: Bhiku Dessai and V. G. Naik. East: Land of President. West: Mesquito of Babal Pir.	5,951.50
3.	"	"	3	—	The President Mesquito of Babal Pir.  <i>Boundaries:</i> North: Land of President Mesquito of Babal Pir. East: — do — West: — do — South: Land of Shri Vishnu Bhat Dessai.	833.50
Total .....						7,735.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

R. Narayanaswami, Secretary (Revenue).

Panaji, 2nd September, 1977.

## Public Health Department

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Order

No. PHD/1(42)/77/Apptt.

On the recommendation of the Union Public Service Commission, Dr. Mina Ketan Prusty is hereby appointed to the post of Rural Medical Officer under the Directorate of Health Services, Panaji, and posted at Rural Medical Centre, Colem, with effect from 22-8-77 AN, on the terms and conditions

contained in the Government memorandum of even number, dated 15-6-1977.

If Dr. Prusty has a bad reputation/character, his services will be terminated.

He has been medically examined and found fit by the Medical Board, Panaji.

By order and in the name of the Administrator of Goa, Daman and Diu.

P. Noronha, Under Secretary (Health).

Panaji, 19th September, 1977.